

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

February 10, 1977
10:00 A.M.Council Chambers
301 West Second Street

The meeting was called to order with Mayor Friedman presiding.

Roll Call:

Present: Mayor Friedman, Mayor Pro Tem Snell, Councilmembers
Himmelblau, Hofmann, Lebermann, Linn, Trevino

Absent: None

The Invocation was given by Reverend E. McCabe of St Theresa Catholic Church.

APPROVAL OF MINUTES

Councilmember Linn moved that the Council approve the Minutes of January 27, 1977, with corrections on Pages 14 and 20, as substituted to the City Clerk by Councilmember Linn, and the Minutes of the Special Meeting of January 28, 1977. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Mayor Friedman, Mayor Pro Tem Snell, Councilmembers
Himmelblau, Hofmann, Linn, Trevino

Noes: None

Not in Council Chamber when roll was called: Councilmember Lebermann

Councilmember Linn moved that the Council approve the Minutes of February 3, 1977, with amended expiration dates for members of the Energy Conservation Commission from February 5, 1980 to January 31, 1980; Urban Transportation Commission terms to expire December 31, 1979 rather than February 5, 1979; and

changes in the Citizens Board of Natural Resources and Environmental Quality to 3-year staggered terms as follows:

Dr. Exalton Delco - June 30, 1978
Sam Jackson - June 30, 1979
Gerard Rohlich - June 30, 1979
Vacancy - June 30, 1977

The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Mayor Friedman, Mayor Pro Tem Snell, Councilmembers Hofmann,
Linn, Trevino
Noes: None
Abstain: Councilmember Himmelblau
Not in Council Chamber when roll was called: Councilmember Lebermann

EXECUTIVE SESSION ACTION

Mayor Friedman said that the Council met in Executive Session earlier that morning on a legal matter, but no action was taken. The Council also determined that they will meet in Executive Session next week, February 17, 1977, at 6:00 p.m. to discuss appointments to the Environmental Board, Arts Commission, Historic Landmark Commission, Human Relations Commission, Building Standards Commission, Plumbing Board of Appeals, Energy Conservation Commission, Parks and Recreation Board, and Traffic Safety Commission.

Mayor Friedman said that the Council also discussed the request from the Mental Health-Mental Retardation Board to extend the terms of the various members of that Board, and after discussion, the Council decided they did not want to alter the terms in any way.

Councilmember Trevino moved that the Council deny any alteration to the terms of the MHRM Board. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann,
Linn, Trevino, Mayor Friedman
Noes: None
Not in Council Chamber when roll was called: Councilmember Lebermann

Relief Judges

Mayor Friedman said that next week the Council will also talk about consideration of appointments of two Relief Judges. He said that Presiding Judge Denton will be taking a leave of absence in the very near future, and additional Relief Judges will be needed to help take up the slack. Procedures for selection of the Judges will be discussed next week.

HIGH SCHOOL CLASS RECOGNITION

Mayor Friedman recognized Mr. Porter's Government class from Lanier High School, who were attending the Council meeting.

MARKET VENDOR'S REQUEST

MR. MARTIN MAYFIELD appeared on behalf of the 23rd Street Market Vendors. After telling the Council that the state of the street vendor's market was very healthy because of the good job the Vending Commission has been doing, Mr. Mayfield said that it was the concensus of opinion of the vendors that they should have a plaque or sign designating the Market site. He also asked that the City install electrical outlets for use in displays and for electrical tools which are used to make some of the items sold. Mayor Friedman asked Mr. Mayfield who would pay for the electricity. Mr. Mayfield suggested that the City would pay, but Mayor Friedman said they would not and suggested a meter be erected and some system for payment by individual users be devised.

Councilmember Linn moved that the Council instruct the Electric Department to submit a report on outlets, and the Parks and Recreation Department to check on a sign or plaque and report back to the Council on March 3, 1977. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Himmelblau, Hofmann, Lebermann, Linn,
Trevino, Mayor Friedman, Mayor Pro Tem Snell

Noes: None

Mr. Mayfield also requested that the street be blocked off on Sunday afternoon, March 20, 1977. Mayor Friedman told him there were normal procedures to be followed to request a street closing through the Urban Transportation Department.

FIRE PREVENTION AND TRAINING ACADEMY

Councilmember Linn moved that the Council set a public hearing for March 17, 1977, at 7:30 p.m. to consider locating a proposed Fire Prevention and Training Academy on park land adjacent to the Krieg softball complex and fire drill tower on Pleasant Valley Road at South Lakeshore Drive. (Capital Improvements Program) The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Hofmann, Lebermann, Linn, Trevino, Mayor
Friedman, Mayor Pro Tem Snell, Councilmember Himmelblau

Noes: None

CANNON PARK MEDICAL AND DENTAL OFFICES SIGN

Councilmember Linn moved that the Council set a public hearing for March 10, 1977, at 10:30 a.m. on an appeal from Mr. Edward J. Petrus, M. D., on the decision of the Planning Commission on obtaining a sign for medical and dental offices at Cannon Park. (File C14P-75-038) The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Lebermann, Linn, Trevino, Mayor Friedman,
Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann

Noes: None

CONTRACTS AWARDED

Councilmember Trevino moved that the Council adopt a resolution awarding the following contract:

TERRY EDWARDS CONSTRUCTION COMPANY - For construction of Capital Improvement Program on Burleson Road, Street and Drainage Improvements from Ben White Boulevard to 50 feet \pm South of Douglas Street - \$173,560.62
11607 North Lamar
Austin, Texas

The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann
Noes: None

Councilmember Trevino moved that the Council adopt a resolution awarding the following contract:

PIMA CONSTRUCTION COMPANY, INC. - Capital Improvements Program, Eberhart Lane Pump House with associated equipment to house the pumps that supply water pressure to Southwest "A" area
4101 Medical Parkway #107
Austin, Texas - \$97,022.00

The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann
Noes: None

Councilmember Trevino moved that the Council adopt a resolution awarding the following contract:

McMORRIS FORD, INC. - Eight Truck Cab and Chassis, Vehicle and Equipment Services Department.
808 West 6th Street
Austin, Texas
Item 1122; 88 ea. @ \$7,146.276
Total - \$57,302.08

The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann
Noes: None

Councilmember Trevino moved that the Council adopt a resolution awarding the following contract:

ALTON WATSON CONSTRUCTION COMPANY
8908 Glenn Lane
Austin, Texas

- Capital Improvements Program, Guerrero
Park Restroom Shelter, Glen Oaks Park
Restrooms, Butler Softball Field
Restrooms, Bull Creek Park Restrooms
and Lake Long Restrooms - \$148,145.00

The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor Pro Tem
Snell, Councilmembers Himmelblau, Hofmann, Lebermann
Noes: None

ARCHITECTS SELECTED

Councilmember Linn moved that the Council adopt a resolution selecting
CROW AND PRINGLE as architects for the Water and Wastewater Administration
Building Addition. (CAPITAL IMPROVEMENTS PROGRAM) The motion, seconded by
Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Friedman, Mayor Pro Tem Snell,
Councilmembers Himmelblau, Hofmann, Lebermann, Linn
Noes: None

EAST RIVERSIDE DRIVE PAVING

Councilmember Linn moved that the Council adopt a resolution authorizing
institution of condemnation proceedings to acquire the following tracts of land
for the widening and improvement of East Riverside Drive: (CAPITAL IMPROVEMENTS
PROGRAM) The motion, seconded

Two (2) tracts of land out of 0.56 of one acre out of Lot A,
Riverside Divide, locally known as 1701 East Riverside Drive.
(Robert & Harold Mueller, owners)

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor Friedman, Mayor Pro Tem Snell, Councilmembers
Himmelblau, Hofmann, Lebermann, Linn, Trevino
Noes: None

EAST 26TH STREET PAVING/I.H. 35 - MANOR ROAD

Councilmember Himmelblau moved that the Council adopt a resolution
authorizing institution of condemnation proceedings to acquire the following
tracts of land for the extension of East 26th Street (CAPITAL IMPROVEMENTS
PROGRAM):

Lot 6, Block 1, Nowlin Heights, locally known as 2307 La Fayette
(Mrs. J. A. Santos, owner)

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Himmelblau, Hofmann, Lebermann, Trevino,
Mayor Friedman
Noes: Mayor Pro Tem Snell, Councilmember Linn

Councilmember Himmelblau moved that the Council adopt a resolution authorizing institution of condemnation proceedings to acquire the following tract of land for the extension of East 26th Street: (Capital Improvements Program)

Lot 2, Block 1, Forest Hills Subdivision, locally known as 1916 Manor Road (Mrs. and Mrs. Raymond Joseph, owners)

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Himmelblau, Hofmann, Lebermann, Trevino,
Mayor Friedman
Noes: Mayor Pro Tem Snell, Councilmember Linn

CORRECTION OF FIELD NOTE DESCRIPTION

Mayor Friedman introduced the following ordinance:

AN ORDINANCE AMENDING ORDINANCE NO. 730920-A BY CORRECTING THE FIELD NOTES DESCRIBING THE LAND ANNEXED; BY CORRECTING THE CAPTION; AND SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS.

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Linn, carried by the following vote:

Ayes: Councilmembers Himmelblau, Hofmann, Lebermann, Linn,
Trevino, Mayor Friedman, Mayor Pro Tem Snell
Noes: None

The Mayor announced that the ordinance had been finally passed.

AMENDMENT CHANGES

Mayor Friedman introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: LOTS 21, 22, 23, AND 24, NORTHGATE TERRACE, SECTION 2, AND THE WEST SEVENTY FEET OF TRACT "A," CREST ROYAL ADDITION, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; AND,

TRACT 2: LOT 20, NORTHGATE TERRACE, SECTION 2, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT;

ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS 8853-8905 RESEARCH BOULEVARD (U.S. HIGHWAY 183); ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (The Murray Family Partnership, Ltd. and Snyder & Raffa Investments, Inc., C14-73-142)

Councilmember Linn moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Councilmembers Hofmann, Lebermann, Linn, Trevino, Mayor
Friedman, Mayor Pro Tem Snell, Councilmember Himmelblau
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Friedman introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

(1) THE NORTHWEST PORTION OF LOT 2, CHARLES WENDLANDT SUBDIVISION AND THE NORTHWEST PORTION OF LOT 2, BLOCK 1, BANISTER ACRES, LOCALLY KNOWN AS 1400 WEST BEN WHITE BOULEVARD, AND ALSO BOUNDED BY FORT VIEW ROAD, FROM "GR" GENERAL RETAIL DISTRICT TO "G-1" COMMERCIAL DISTRICT; AND,

(2) A 60,000± SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1505 WINDSOR ROAD, AND ALSO BOUNDED BY ENFIELD ROAD AND HARRELL LANE, FROM "B" RESIDENCE DISTRICT TO "A" RESIDENCE DISTRICT; AND,

(3) LOT "A," STECK ADDITION NO. 2, SAVE AND EXCEPT THE TWO THIRTY-FIVE FOOT ACCESS CORRIDORS LEADING TO SHOAL CREEK BOULEVARD, LOCALLY KNOWN AS 8000 SHOAL CREEK BOULEVARD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "D" INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT; AND,

(4) LOTS 1, 2, AND 3, BLOCK 1, LA PRELLE PLACE, LOCALLY KNOWN AS 135 WEST OLTORF STREET, AND ALSO BOUNDED BY SOUTH CONGRESS AVENUE (TIPS HOUSE), FROM "C" COMMERCIAL DISTRICT TO "C-H" COMMERCIAL-HISTORIC DISTRICT;

ALL OF SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Statewide Stations, Inc., C14-76-119; City of Austin, C14-76-120; Hart Graphics & Office Center, Inc., C14-76-112; Tips House, C14h-74-002)

Councilmember Linn moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor Pro Tem Snell, carried by the following vote:

Ayes: Councilmembers Hofmann, Lebermann, Linn, Trevino, Mayor
Friedman, Mayor Pro Tem Snell, Councilmember Himmelblau
Noes: None

The Mayor announced that the ordinance had been finally passed.

G.3. 770210-D

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amend budget for additional personnel for
administration, architectural + inspection work
for sidewalks.

OPERATING BUDGET AMENDMENT

Mayor Friedman introduced the following ordinance:

Councilmember Trevino moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Linn, carried by the following vote:

Ayes: Councilmembers Lebermann, Linn, Trevino, Mayor Friedman,
Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann
Noes: None

The Mayor announced that the ordinance had been finally passed.

BUDGET SUBMISSION POLICY CHANGED

Councilmember Himmelblau requested that the Council consider making a policy change concerning submission of the City Budget proposal to the Council for study. She stated that under the present policy they had only a brief time to digest the budget and this will give the Council more time to work with the budget and work with the staff.

Councilmember Himmelblau moved that the Council adopt a resolution adopting a policy change whereby the City Manager would submit the budget document to them between July 15 and August 1, The motion, seconded by Councilmember Linn, carried by the following vote:

Ayes: Councilmembers Linn, Trevino, Mayor Friedman, Mayor Pro
Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann
Noes: None

SMOKING IN CAFETERIAS

Councilmember Hofmann proposed that there be an Ordinance to prohibit smoking in the serving line areas of cafeterias, or wherever food is openly displayed. She suggested that there be a public hearing on the issue.

Councilmember Linn moved that the Council set a public hearing for March 17, 1977, at 8:00 p.m. on the proposed Ordinance. The motion, seconded by Councilmember Hofmann, carried by the following vote:

Ayes: Mayor Friedman, Mayor Pro Tem Snell, Councilmembers
Himmelblau, Hofmann, Lebermann, Linn, Trevino
Noes: None

G.3. p.5
770210-D

LOWERING OF LAKE AUSTIN

The Navigation Board unanimously recommended that the Council not authorize the lowering of Lake Austin at this time. The Council accepted the report.

ZONING HEARING

Councilmember Trevino moved that the Council re-set the following zoning hearing for February 17, 1977, at 7:30 p.m.:

MRS. PERRY L. JONES By J. Winston Chapman C14-76-079	2900 Rio Grande Street also bounded by West 29th Street and Salado Street	From "C" Commercial 2nd Height and Area To "C-2" Commercial 2nd Height and Area NOT Recommended by the Planning Commission
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The motion, seconded by Councilmember Linn, carried by the following vote:

Ayes: Councilmembers Himmelblau, Hofmann, Lebermann, Linn, Trevino
Mayor Friedman, Mayor Pro Tem Snell
Noes: None

PERSONNEL POLICIES

Mayor Friedman brought up for consideration the Personnel Policies. This included three items on the Agenda; City Manager Report on Alternative Proposal for Personnel Policies; Mr. Joseph F. Pinnelli and Mr. Roger Duncan representing AFSCME; and the consideration of Personnel Policies recommended by the City Manager. Mr. Davidson, City Manager, said there had been changes in the wording of some parts of the Personnel Policy as a result of the Work Session held by the Council.

Mr. Jimmie Flakes, City Personnel Director, submitted the following changes and discussed each change:

The following are modifications and revisions proposed by the Manager to the January 27, 1977, Personnel Policies. These changes have resulted from Council input, union input, employee input and staff review and are the recommended language of the Personnel Policies to be adopted by the City Council.

I. General Provisions

E. Personnel Records - Addition. (Page 7)

Personal work history records maintained within each department are subject to the same provisions as those records maintained by the Personnel Department. An employee at all times has a right to inspect any and all inclusions made a part of his/her personal work history information that will be included into his/her official records. No inclusion shall be made without the review and knowledge of the employee.

II. Conditions of Work

C. Working conditions - Addition to last paragraph (Page 10)

Employees may request paid time off to conduct Personnel-related business such as Workman's Compensation claims, transfer applications, discrimination complaints, grievances and insurance claims.

K. Withholding of Wages for Past Due Taxes - Change to read (Page 12)

Article VIII, Section 9, of the City Charter prohibits the payment of any money to an employee who is in arrears to the City of Austin for taxes. Any employee who is in arrears will have his/her wages withheld by the City until such time as the past due taxes are paid.

III. Staffing and Development

A. Selection

3. Medical Examinations - Delete last sentence. (Page 14)

B. Probationary Period

3. Responsibilities

- c. (1) Is incapable of performing duties of his/her (Page 15) position.

4. Temporary Employees - Reword second paragraph. (Page 16)

A temporary employee who is placed in a permanent budgeted position must serve a probationary period of six months. The employee, however, will receive service credit from the initial employment or reemployment date subject to the following conditions.

C. Training and Development

2. Educational Tuition Reimbursement Policy (Page 18)

a. Policy

To encourage City employees to further their educational, professional and vocational development, the City will reimburse the cost of tuition and non-refundable fees for courses taken from an accredited college, university, or technical school according to established reimbursement rate schedules and budget limitations.

- b. Eligibility Requirements - Delete 1st sentence of 2nd paragraph concerning part-time employees.

D. Promotion/Demotion/Reassignment

1. Policy - Reword first paragraph. (Page 19)

Promotions, demotions and employee reassignments will be made on the basis of skills, abilities and demonstrated performance of City employees in an effort to provide maximum advancement potential for employees so as to make City employment continuously attractive to the highest qualified personnel and to enable the City to accomplish its goals and objectives. Demotions and reassignments may not be used for disciplinary purposes.

E. Transfers

1. Policy - Delete "in the best interest" of the City (Page 20)

To provide maximum opportunity for advancement to all employees and to promote optimum staffing, it is the policy of the City to encourage the transfer of employees between City departments. No acts of recrimination shall result from transfer requests.

2. Eligibility Requirements - Reword last sentence. (Page 20)

In an effort to maintain continuity of working operations and work assignments, temporary employees should complete at least fifty (50) percent of their employment commitment before applying for transfer to another City department.

3. Job Vacancy Announcement - Add the following paragraph. (Page 20)

The Personnel Department will prepare a job vacancy listing from all approved requisitions. This listing will be distributed to every Department and should be posted in a timely manner at each work station.

F. Separation

2. Resignation - Add as second sentence. (Page 21)

Any employee submitting a resignation has 48 hours within which to reconsider and reserves the right to withdraw the resignation within this time limit.

3. Layoff - Change to thirty (30) days. (Page 21)

Layoff of employees may occur when it becomes necessary for the City to effect immediate reductions in the size of the City work force. The order of layoff shall be determined by the current operating needs of the City, with consideration given to both an employee's length of service and past work performance. Whenever possible, employees to be laid off will be given thirty (30) days notice. The Personnel Department will coordinate all layoff actions with the effected departments according to approved procedures developed to implement this policy.

IV. Compensation

A. Wage and Salary - Add "and other positions" in last sentence (Page 23)

2. Maintenance of the Plan

The Director of Personnel shall be responsible for continuous maintenance and administration of the plan to assure that the purpose of the plan is fulfilled as work requirements change in the various departments and as conditions change in the labor market. The Director of Personnel shall further be responsible for determination of those positions which are eligible for overtime pay as provided in the Personnel Policies and those executive, administrative, professional and other positions which are exempt from those provisions.

10. Payment for Overtime (Page 26)

Exempt employees are salaried employees and, except as provided, are not eligible for overtime compensation. However, overtime may be paid in salary at the straight time rate to those exempt positions approved by the Director of Personnel.

All non-exempt employees required to work overtime will be paid for all additional time worked to the nearest quarter hour or be given compensatory time off if such time is taken within sixty (60) days after it has been earned. The employee will receive payment for any compensatory time not taken within the 60-day time limits.

All overtime for non-exempt employees will be paid at the rate of time and one-half (1-1/2). All compensatory time off for non-exempt employees will be computed at one and one-half (1-1/2) times the overtime worked. (Example: If an employee worked one hour overtime, he/she receives 1-1/2 hours compensatory time off.)

(3) Sick Leave - Wording change. (Page 34)

- (h) An employee who is pregnant should be allowed to use her accrued sick and personal leave for maternity purposes for a reasonable time prior to the expected date of delivery and for a reasonable time following delivery as determined by the employee and the employee's physician, if the employee intends to return to employment with the City. If the employee does not plan to return to work, the provisions of these policies regarding terminal pay shall be applicable.

(8) Wage Continuation Benefits - Add occupational disease.

- (a) The term "physical injury" as used in this section shall mean an injury to the physical structure of the body or a part thereof including any subsequent aggravation or reinjury that occurs while the employee is acting in the course and scope of his employment and shall not include any illness, disease or infection except such illness, disease or infection as is directly caused by and naturally results from a prior physical injury. In addition, wage continuation benefits shall accrue to any employee contracting infectious hepatitis in the course and scope of employment. Injuries that occur while traveling to and from work, eating meals, while engaged in horse-play, while attending to personal matters, or while engaged partly in personal matters and partly in employment matters, shall not be deemed physical injuries so as to qualify for this benefit.

(8) Wage Continuation Benefits - Add "job held prior to injury."

- (h) Under the following conditions an employee shall forfeit all rights to any future injured employee wage continuation payments that the employees would have otherwise been eligible for due to his/her physical injury:

1. Who is found to be working for pay at any job not held prior to the injury and not approved by the Director of Personnel and not specifically recommended by the treating physician and/or physician designated by the Director of Personnel;
or

(b) Unpaid Leave - Reworded (Page 42)

The granting of unpaid leave is subject to the approval of the Department Head or City Manager. The requesting employee must justify in writing any request for unpaid leave. When an unpaid leave exceeds two (2) weeks in any month, service credit for all employment privileges shall cease until the employee returns from leave.

(1) Leave of Absence - Add as second paragraph (Page 43)

An employee who is pregnant should be granted a leave of absence for a reasonable period as determined by the employee, the employee's physician and the requirements of the job.

- V. Performance Counseling/Discipline/Complaints - Changes to this (Page 47) Section include the addition of separate section of performance counseling, rewording of the policy statement for discipline, removal of substandard work performance as a basis for disciplinary action and revision of the selection of the Grievance Committee.

It is the intent of this section to establish clear, positive guidelines for corrective and preventative job performance counseling and for discipline, complaint and appeal processing. It is also the intent of this section to safeguard the rights of employees, to assure that all employees are judged by fair and equitable standards and to require that all rules are applied on an equitable basis. This section should not be interpreted to eliminate the discretionary factors all employees, whether supervisory, non-supervisory or management, must rely on for discharging their designated duties and responsibilities.

A. Performance Counseling

Any employee who exhibits substandard work performance should be counseled in the following manner.

1. Initial Counseling

For the first indication of substandard work performance the supervisor should advise the employee of his/her unsatisfactory performance and recommend specific areas for improvement. A written record may be retained within the employee's department.

2. Written Documentation

For a second indication of substandard performance, the supervisor will state in writing:

- (a) the specific deficiencies observed in the employee's performance,
- (b) the necessary improvement,
- (c) the period of time in which improvement must occur, and
- (d) what further action will result if the employee fails to show satisfactory improvement.

The written counseling memo should be signed by both the employee and the supervisor and shall be maintained within the department. If the employee refuses to sign, the supervisor should have a witness sign that a copy was given to the employee. The employee's signature indicates receipt of the document only, not necessarily acceptance of its contents.

If an employee continues to exhibit substandard work performance beyond the established time limits and below the expected level, the options available to the employee and supervisor will include:

- (1) reassignment, (2) demotion, or (3) termination.

B. Discipline

In implementing the disciplinary procedure outlined below, a supervisor should consider such factors as the type and severity of the offense, the employee's work record and any mitigating circumstances surrounding the offense. All employees have the right to appeal any disciplinary action through the complaint process outlined in this section.

1. Basis for Disciplinary Action

Offenses constituting grounds for disciplinary action include, but shall not be limited to, the following major categories:

- a. Absenteeism
 - b. Insubordination
 - c. Misconduct
 - d. Violation of Personnel Policy
- c. Grievance Committee Organization (Page 51)

The Grievance Committee will consist of seven (7) City employees who will hear, review, and make recommendations concerning all appeals referred to the Committee under the policy established in this section. The membership of this Committee will be composed of employees elected by City employees.

Mayor Pro Tem Snell stated that he had recommended that the Grievance Committee members be selected by departments. In reply to Mayor Pro Tem, Mr. Flakes said that all of the details had not yet been worked out. Mayor Pro Tem Snell stated he would like an ethnic breakdown and would like them to bring the Grievance Committee method of selection back to Council before they carry out any actual selection. He wants to be certain all departments are represented.

MR. JOSEPH PINNELLI, Business Agent for Local 1624 of AFSCME, thanked the administration for re-writing the policies but that there were some omissions. He asked for the following:

1. Overtime will be rotated and allocated among employees as evenly as possible, within the classification of the employee, with all of the overtime awarded during a pay period posted for all employees to inspect.
2. There should be some sort of means to solicit employee suggestions concerning efficiency and safety, by setting up Efficiency and Safety Committees.
3. City employees should be able to run for a City elected office if they are on leave of absence.

4. An employee should be able to appeal their performance evaluation to the Grievance Committee.
5. Increases in salary shall be processed by the Director of Personnel and approved by the City Manager. Upon such approval the increases shall be paid based on the effective date of approval.
6. In the section which says if you misuse your sick leave, you should be counseled and dealt with, he would like added that employees can't be made to bring a doctor's excuse unless they are out five consecutive work days.
7. Wage Continuation Benefit, making leave of absence automatic when the employee runs out of benefits.
8. Graded penalties for specifically graded offenses.

Councilmember Trevino brought up a suggestion by Mayor Friedman and Councilmember Lebermann that specific overtime assignments should be allocated as evenly as possible within classifications.

Mr. Davidson said it was not a dictatorial assignment on the part of the supervisor or department heads, but a combination of people who volunteer because they want to work overtime on a certain Saturday doing a particular job that the City is obligated to do. Mayor Friedman stated this was not prohibited by the wording in this new section and asked if he wanted to put in the words "as reasonable as possible" specific overtime assignments shall be rotated and allocated evenly among employees. Mr. Davidson said he had no problem with that.

Discussion was held on specific instances that would be prohibited.

Discussion of the appeal of evaluation procedure was held. Mr. Flakes stated they have limited the appeal to the department head, and the Mayor used "up the chain of command," and there was no problem. He said the Grievance Committee is not a part of the chain of command. The Mayor stated the language calls for it to go through any normal channel chain of command, up through the City Manager, if anybody wants to take it that far. Mr. Pinnelli said their language very specifically said, through the Grievance Procedure.

Motion

Councilmember Himmelblau moved that the Council adopt the personnel handbook as presented by the City Manager, including the amendments submitted today by the staff. Councilmember Lebermann seconded the motion.

Friendly Amendment

Councilmember Trevino moved that the City employees be allowed to appeal their evaluation up the chain of command, including through the Grievance Committee and to the City Manager. Councilmembers Himmelblau and Lebermann accepted the friendly amendment.

Friendly Amendment

Councilmember Trevino moved that City employees be allowed to seek elective positions as long as it does not interfere with his/her performance of duty, and that they be required to take a leave of absence unpaid from the time that they announce or file, whichever comes first. If elected the employee must resign his/her position. Councilmembers Himmelblau and Lebermann accepted the friendly amendment.

Amendment Not Accepted

Mayor Friedman moved that payment of merit increases be effective as of the date authorized. Councilmembers Himmelblau and Lebermann did not accept the friendly amendment.

Friendly Amendment

Councilmember Linn moved that efficiency and safety committees be established within the divisions of departments. Councilmembers Himmelblau and Lebermann accepted the motion. It was agreed that this amendment have some wording saying the City Manager shall institute a method of gaining input, so that departments that do not have divisions, will not be left out, and it will not be required to have committees of equal size where not appropriate.

Roll Call

Roll Call on Councilmember Himmelblau' motion, Councilmember Lebermann's second, with the accepted friendly amendments, showed the following vote:

Ayes: Councilmembers Hofmann, Lebermann, Trevino, Mayor Friedman,
Mayor Pro Tem Snell, Councilmember Himmelblau
Noes: Councilmember Linn

Mayor Friedman made the following statement: "We have, in approximately 14 months, come to the conclusion of a revision, well, not a revision, a total re-writing of the personnel guidelines and policies for any person who may at this time or in the future be working for the City of Austin. Notwithstanding all the controversy, I think a big amount of credit goes to the Manager and to his staff for coming up with some guidelines and books. I think the employees themselves who spoke at the public hearing, and employees representatives from AFSCME have done a remarkable and very credible job within the confines of the Charter, and certainly in the confines of the time frame we have had developing something that may not be perfect, but nothing ever is. I think AFSCME has represented their members and all employees fairly. The Manager has done his best to speak to the needs of all employees under the terms of the Charter, and I think the Council is to be commended for finally sifting through all this, approving it and getting on with the business at hand. That is, an even handed and fair approach to the employees, and I think the department heads who sat in at the work session the other day are well aware of just how seriously this Council, and I think any future Council will want to see these programs implemented. I am sure they will get the word down to their troops, and I think with that in mind, I want to thank you, Mr. Manager, and those employees who participated individually or through their representatives, for a job well done.

Mayor Friedman recessed the Council Meeting until 2:00 P.M.

AFTERNOON SESSION
2 P.M.

CITIZEN COMMUNICATION

Ms. Burmah Hunt, who requested to appear before the Council to discuss her property, did not appear.

BOAT RACES ON TOWN LAKE

Mayor Pro Tem Snell said he had met with one of the Austin Boat Club members and some of the citizens in the East Austin area and said that the issue of whether or not to allow boat races on Town Lake was still at the same point as it had been for months. He said some recommendations had been made about the traffic conditions which he did not necessarily approve of. He said there were no solutions for the noise. He said that he was hoping for the good of all that some decision could be made, and that he had recommended that there be one race on one end and two on the other, but that was not accepted. Mayor Pro Tem Snell then opened the issue to comments.

PAUL HERNANDEZ, representing Mr. Cruz, who was at the meeting but could not speak English, read a letter to the Council from Mr. Cruz. The letter stated his protest of the boat races at Festival Beach. He said there were many reasons why he protested the races but the things that bothered him the most were the smell of the exhaust from the drag boats and the many cars that enter the neighborhood; the people who get mad because they cannot park in Mr. Cruz's yard; the trash left in his yard; and the noise.

Paul Hernandez continued that he had talked to many people who are effected by the problem of the boat races. The people of the neighborhood feel that they have bent over backward and tolerated everything thrown at them, but that the burden of the Aqua Festival and all of its Festival nights are just too much. He said that somewhere it has to stop.

Councilmember Hofmann inquired if the traffic created by the Festival nights was heavy also. Mr. Hernandez said that it was, and they were willing to tolerate the traffic on those nights, but did not feel they should have all of the burden. Councilmember Hofmann asked if some of the Festival nights were moved to another part of the town, if that would compensate for some of the traffic created on the three weekends of the boat races. Mr. Hernandez stated that he thought the whole issue is not around the Fest nights, but around the boat races.

JERRY McPHERSON, Holiday Inn innkeeper, appeared to make two points regarding the boat races. One, whether we like it or not a precedent is being established. He asked what would be done next year, or the year after? What will happen when someone says that they don't like University of Texas football because of the crowds, the drunks, the dirt. Mr. McPherson's second point was that he is a member of the community in question. He lives in the Holiday Inn and his boy goes to school at Martin. He said that as a citizen, it is not objectionable to him to have the boat races.

DANNY REED of the Austin Boat Club said that he had worked with Chief Dyson on a traffic plan that he felt was feasible to keep the traffic out of the area. It was by using advertising, news media and traffic barricades, and not rely on police patrol. Mr. Reed also mentioned Mayor Pro Tem Snell's suggestion regarding split races. He said these would not be sanctioned by the national organization for boat racing.

ADMIRAL MURCH, retired, said that he had worked with the boat races each year. He stated that the races are a greater Austin activity and he was speaking in behalf of the small communities around Austin that enjoy taking their families to the races. He encouraged their continuance.

MR. MOORE then addressed the Council, saying that after the meeting the previous day with Mayor Pro Tem Snell, there was some question whether there was actually a compromise by the boat club in reducing the number of races from five to three, or if the reduction in number was because that was all they were allowed to have. He said he had looked into the minutes and found that Mrs. Harriett Spillar, Secretary of the Boat Club, had entered into the minutes that they were having three races because Memphis, Little Rock and Tulsa were also having races, and consequently, the boat club could only have three races sanctioned this year. He said that the fact that the boat club was only having three races was not a compromise to the residents of East Austin, but is really the only races that they can have sanctioned.

HARRIETT SPILLAR, past race secretary of the Austin Boat Club, responded to Mr. Moore by stating that he took this information out of context. She said that for the past 14 years they had three races that were sanctioned and three that were not. She stated that in order to compromise and work with the people opposed to the races they had found that they could get by with the three essential races.

Motion Made and Withdrawn

Councilmember Linn made a motion to deny the boat races on Town Lake. Councilmember Trevino seconded the motion. Councilmember Trevino then said he thought the correct motion would be to reaffirm the Council's position made last week. Councilmember Linn then withdrew her motion.

Motion

Councilmember Trevino made a motion to reaffirm the Council's position of the week before. Councilmember Linn seconded the motion.

Substitute Motion

Councilmember Hofmann made a motion to honor the recommendation of the Lake Study Committee to permit three boat races on Town Lake. Councilmember Lebermann seconded the motion, which failed to carry by the following vote:

Ayes: Councilmembers Himmelblau, Hofmann, Lebermann
Noes: Councilmembers Linn, Trevino, Mayor Pro Tem Snell
Absent: Mayor Friedman

Jerry Harris, City Attorney, said that the last action of the Council taken February 27, 1977, stands.

HEARING - PROPOSED AMENDMENT TO DRIVEWAY ORDINANCE

At 2:30 p.m. Mayor Pro Tem Snell opened the public hearing on the proposed amendment to the Driveway Ordinance. Mr. Charles Graves, Director of Engineering, said that there were no deficiencies in the Driveway Ordinance recently passed; he said it was working and working well. He said they were simply requesting an amendment to give some concern for the protection of trees in a public right-of-way. He said the amendments had been studied by the Tree Sub-Committee of the Environmental Board and by all the departments. He said that essentially the amendment adds language to the Ordinance so that when they are dealing with the issuance of a driveway permit consideration will be given to the question of trees which may be disturbed in the construction of the right-of-way. The amendment also requires and authorizes the Director of Environmental Resource Management to promulgate rules and regulations that the permit clerks will follow when investigating an application for a driveway permit. Mr. Graves said there was no opposition to the proposed amendment.

Councilmember Himmelblau moved that the Council ~~close~~ the public hearing and place the proposal on the agenda after receiving a report from the Traffic Safety Commission. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Hofmann, Lebermann, Linn, Trevino, Mayor
Pro Tem Snell, Councilmember Himmelblau
Noes: None
Absent: Mayor Friedman

HORNER AND SHIFRIN SOLID WASTE RESOURCE/ENERGY DEVELOPMENT PLAN

Mayor Pro Tem Snell opened the public hearing scheduled for 3:00 p.m. by asking Councilmember Hofmann if she wanted to ~~make~~ a statement at the outset of the meeting. Councilmember Hofmann ~~stated~~ that very little had been done with the Horner & Shifrin report even though a good deal of money had been spent on the consultants. She stated that citizens might want to take issue with the report or make some comments on it. She stated that she had slides of the Solid Waste Disposal Plant located in Odessa, Texas, that she wanted to show later in the meeting.

MR. ROGER DUNCAN spoke before the Council stating that most any option related to Solid Waste Recycling would be an improvement over the present method of disposal which is sanitary land filling. He stated that Austin was just a few years away from experiencing the problems other major cities have encountered from the use of the sanitary landfill method of disposal. He stated that if the City did not act now, then it would be adhering to the policy of government by crisis, and postponing a decision because the situation was not critical. He said that the City should get away from sanitary landfill rather than wait 10 to 15 years as recommended by the Horner & Shifrin report. He felt that the economic comparisons of Solid Waste Recycling to sanitary landfill as stated in the Horner & Shifrin report, were conservative. He noted that the systems being given consideration by Horner and Shifrin were all capital intensive and energy intensive processes. He stated that the quantity of natural gas produced from a Gas Pyrolysis System would be very little in comparison to the needs of the City. He stated that if all the refuse in Austin were processed through the Gas Pyrolysis process, it would yield only 1/10th of the daily load of one of the units at the Decker Plant. He said that this process would not a significant new energy source. He said that alternative processes such as a program to

encourage removal of glass, metal and organic materials at the home and the use of recycling centers should be studied further. He felt that methods of reducing the amount of solid waste needed to be formed. He stated that the City should start looking at ways to combine the solid waste materials with the sewer slush in order to form a comprehensive waste disposal system. He suggested that the prospect of a new landfill site be looked into as the current site on Highway 290 was fast reaching its operating peak. He again emphasized that immediate action was needed in the area of solid waste disposal and that the City should not wait another 10-15 years as recommended in the Horner & Shifrin report.

Ms. Maureen McReynolds, Director of the Environmental Department, spoke on behalf of the Environmental Board. She stated that the Board had adopted the following recommendations concerning the Horner & Shifrin Report:

1. They determined that the cost of all the fuel recovery systems would be higher than the cost of sanitary landfilling. In view of economic and operational uncertainties, they concurred with the consultants that the City should not undertake a recovery program now but continue monitoring fossil fuel cost, landfill disposal cost and the technological progress of the various systems.
2. That the City task force studying the conversion of solid waste to energy, continue to function and keep abreast of new developments in this technology. Especially the eco-fuel process which seems to be advancing faster than the other processes available.
3. Resource energy recovery systems may prove to be economically, technologically and environmentally feasible in the future, but current information is insufficient to endorse these systems. However, the Board recommends that the City explore alternatives such as source separation of waste paper, glass and metal. The City of Austin should investigate programs which do not require excessive capital investments that will reduce the volume of waste environmentally sensitive manner.
4. The task force should be expanded to include a member of the Office of Environmental Resource Management and the functions of the task force should also include exploring all the alternatives such as source separation of waste paper, glass and metals or other programs which do not require excessive capital investment. They recommended that the City Council ask the City Manager for reports on this recommendation.
5. The task force should set at a high priority the search for future sanitary landfill sites and present a status report in 6 months.

Councilmember Hofmann asked if the Council had copies of these recommendations and Ms. McReynolds stated that they should have received them that morning.

MR. JIM ROBERTSON, Manager of the Ecology Action Recycling Center, spoke before the Council. He stated that they agreed with the statements of Mr. Roger Duncan. He said that the City could not wait 10 years for some technology to become feasible to be utilized in Travis County. There are many decisions that need to be made immediately before crises arise in the future. He stated that if any capital intensive, highly technological process were selected, it would preclude any other methods of waste disposal that should be considered. He pointed out that waste reduction systems were capital intensive and did not justify their initial outlay. He felt that in order to reach maximum efficiency, there would have to be a continuous influx of waste materials to be processed. He stated that the City would be under obligation by contract with the company, to keep waste amounts coming into the plant up to a certain level. He said that the resource recovery system proposed by the National Council on Resource Recovery of Washington, D. C., would bypass legislative efforts in that it would make source reduction laws uneconomical. He made as an example the City of New Orleans where the City is required to pay \$1 to the operating of the recycling facility for every dollar's worth of recyclable material below the cities quota. He stated that if the City were to eliminate aluminum cans, it might have to pay out thousands of dollars in penalties. He said that in addition to source reduction legislation, increasing levels of recycling also threaten the minimum tonnages and specific contents of garbage essential for revenues from sales of materials in RDF (Refuse Derived Fuel) to make resource recovery plants a worthwhile investment. He stated that these plants will derive most of their income from the sale of RDF yet the BTU value of paper, the largest fraction of municipal waste, is from \$5 to \$8. Because the fiber value of paper is worth more, business, universities and civic groups are removing recycling paper. He pointed out that an EPA staff report warned that the amount of paper fiber taken out of the waste stream through recycling must be established before resource recovery plants be built. He said there has been no effort to determine how much paper is being removed from the Austin market.

If the plants are to be economically feasible, the builders may want to have the City prohibit the recycling of waste by the community. As they have tried to prohibit source reduction legislation. Given the monetary incentive to recycle privately, prohibition may prove to be a very difficult task. He stated that there may be great competition for garbage in the future. If the plant designers do not succeed in monopolizing the right to recycle, intermediary systems will recycle and capture the most valuable fraction, leaving the real waste to a system which is so capital intensive precisely because it needs to get high value materials and in great quantities. In warning cities about the danger, Bob McDunna of Solid Waste Recovery Corporation in Durham, New Hampshire, predicted that the EPA will be stuck with a plant that will be trying to get a BTU out of what is left over after recycling catches on.

Mr. Robertson stated that there were other ways of dealing with solid waste other than high technology, capital intensive energy recovery plants and sanitary landfills. He stated that there should be consideration of other aspects of reduction, resource recovery at the source and curb-side collection. He said that at this time, no resources are being recovered from Austin waste. All of the Austin waste is being handled by two sanitary landfills and a number of illegal dumps around the County. He stated that in 1965 a proposal for a new sanitary landfill was opposed by citizens living near the proposed site. He also stated that because landfill-type soil is best in the eastern half of Austin, opposition to landfills is found there on the basis of cultural and economic discrimination and racial equality. He noted that there is a need to draw the community together to discuss the question in an educational and informative

atmosphere. However, he stated that little effort is being made by the City or the County to solve the problems of solid waste. He stated that some effort must be made to utilize the resources within the community. He stated that an effort must be made to educate the public to the issue of solid waste resource management. Mr. Robertson stated that he also represented the Texas Environmental Coalition. He stated that on February 18, 1977, they were going to send a proposal to the United States Office of Environmental Education, a branch of Health, Education and Welfare, for a grant to fund a year-long project that will draw together the various segments of the community and the various resources of the County, to deal with the question of resource recovery. He stated that the project will involve the development of educational materials and a conference to be held next March. He proposed to the Council that the City should keep studying the problem and keep it in the public eye, but wait before making any decisions until community input can be acquired.

At this point in the public hearing, Councilmember Hofmann showed slides she had taken of the solid waste management facility in Odessa, Texas.

MS. DIANE YOUNG, representing the Brackenridge Recycling Center, spoke before the Council. She stated that there were many alternatives to recycling of solid waste in various cities around the world. She made an example of San Francisco where an electromagnet is used to pull the ferromagnetic materials out of the waste. She stated that this facility has already paid for itself. She asked what was done with glass at the facility in Odessa. Councilmember Hofmann answered by saying that the glass was plowed under the ground where it eventually dissolves. She stated that a way had not been found yet of pulling the aluminum out of the waste, and that it was also plowed under the ground. She expressed a willingness to work with the Council to implement a waste recovery program in Austin. Councilmember Himmelblau asked Ms. Young what kind of materials they could recycle at their center. Ms. Young stated that they could recycle magazines, cardboard, any type of paper, tin such as beer cans, and aluminum foil. She stated that much of this material can be sold to different companies that can use the materials.

Councilmember Hofmann stated that while the City was seeking a location for a new sanitary landfill would be a good time to set up a task force to look into the problem. Councilmember Trevino suggested putting this up for a later date as an item for Council. He also stated that the County may want to have some involvement in the project.

Councilmember Trevino then moved that the Council close the public hearing. The motion, seconded by Councilmember Linn, carried by the following vote:

Ayes: Councilmembers Lebermann, Linn, Trevino, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann
Noes: None
Absent: Mayor Friedman

HEARING - NOTIFICATION OF RESIDENTS IN STREET VACATIONS

At 4:00 p.m. Mayor Pro Tem Snell opened the public hearing on the policy for notification of residents in street vacations. Councilmember Trevino stated that he was requesting that the City have more flexibility regarding its policy of street vacations. He cited the example of one of the streets that was closed,

and although residents within 300 feet of the intersection were notified, there were still people who lived beyond the 300 feet that were effected by the decision. Councilmember Trevino asked that the policy be re-written to allow flexibility to notify additional property owners that may be effected by any decision of any future Council. Councilmember Trevino said that Reuben Rountree, Director of Public Works, and Dick Lillie, City Planning Director, both concur with the recommendation to change the policy.

Councilmember Trevino moved that the Council close the public hearing and instruct the staff to come back with a properly worded change in policy regarding notification of residents in street vacations. The motion, seconded by Councilmember Linn, carried by the following vote:

Ayes: Councilmembers Linn, Trevino, Mayor Pro Tem Snell,
Councilmembers Himmelblau, Hofmann, Lebermann
Noes: None
Absent: Mayor Friedman

HIGH SCHOOL CLASS RECOGNIZED

Mayor Pro Tem Snell recognized the presence of Mr. J. W. Studak and his government students from Johnston High School

Mayor Pro Tem Snell recessed the Council meeting at 4:03 p.m.

PUBLIC HEARING ON THE REALLOCATION OF \$1.933 MILLION INHHCD FUNDS

Mayor Pro Tem Snell opened the public hearing scheduled for 7:00 p.m, in the absence of Mayor Friedman. He stated this would be the last hearing before a decision was made and that no action would be taken that night.

MR. JORGE CARRASCO, Acting Budget Officer, made the staff presentation to the Council. He stated that an analysis was prepared of the projects that were recommended for HCD funding. He stated that there were three projects which required additional funds. The first of the projects was the operation of the Model Cities Clinic. He stated that an additional \$98,000 was needed to continue operation of the clinic until September 20, 1977. He stated that this project may become ineligible for funding next year and could result in a burden on the general fund. On the Webberville Road reconnection, there is a right-of-way cost of \$45,000 which is needed and an additional \$14,000 for the inclusion of sidewalks, curbs and gutters. In the case of the Shady Lane Bridge, the relocation of utilities was not included in the cost estimate and \$21,000 would be needed in order to complete the project. He stated that the total additional funding level would be \$178,000. He stated that the staff was recommending one funding option for consideration. The \$281,000 that was allocated for the neighborhood center on East First Street could be diverted. He stated that since it would take 8 months to complete the design of the facility, diversion of funds would not hinder the progress of the project and that sufficient funds would be remaining so that the design of the Center could be completed. He said

that if this option was approved by the Council, they would be able to complete all the projects recommended by the Joint Committee, the Planning Commission and the Community Development Commission, and no project would be impeded.

MS. MARGARET LOERA, representing the Loma Linda Organization and the South Austin Recreation Center Advisory Board, spoke before the Council. She stated that since diverting funds from the East First Street Neighborhood Center project would not hinder completion of the project, she advocated going ahead with this proposal. She felt that it was important that the Webberville Road reconnection project be accomplished. She hoped that the Council would accept the recommendations of the Community Development Commission and the Planning Commission and grant additional funds to the three projects.

MS. SALLY KILGORE, representing Austin Community Television, spoke before the Council. She stated that they were requesting that HCD funds be made available to them for special projects in low income minority areas. She stated that the intent of public access programming has not been met. She stated that a recent survey of cable subscribers in the black portion of East Austin showed that increased minority programming was the most frequently mentioned desired change in programming. Also, she stated that access services were extremely important to the minority community because desegregation was eliminating communication lines between the community. However, she stated that they were unable to make the intensive and systematic effort to increase low-income minority participation. Their financial and volunteer resources are focused on maintaining their present level of service. She stated that they were requesting money to enable them to do the following:

- Increase communication among low-income minority groups in Austin through the production of minority programs by minority persons.

She stated that they were requesting \$10,960 to provide extensive technical assistance and equipment to meet the anticipated increase and demand. She stated that members of the Community Development Commission have noted their needs to increase the equipment supply to meet any new demand they might have for their services.

MR. SAMUEL JACKSON, attorney representing the Austin Community Radio, spoke before the Council. He stated that the station wanted to focus on the interest and needs of the ethnic/minority community of Austin and provide facilities where minority persons could acquire professional experience in the field of radio broadcasting. He stated that they wanted to provide indepth news reporting and documentary of interest to all segments of the community, quality programming of educational and cultural entertainment and consumer affairs of interest to the Austin community. He stated that they were requesting the amount of \$30,000 from the City of Austin. He stated that most of their support had come from contributions from outside the community.

MS. SANDRA WILLIS, Consumer Advisory to Home-Health Care, Inc., spoke before the Council. She stated that the program they were proposing effected 212 residents of East Austin, in the form of employment and human care services. She stated that their specific proposals were for homemaker services, chore services and training for 71 unemployed persons to become homemakers who could

serve 141 clients each month. She said this training has been developed by the Home-Health Care, Inc. organization and is being used in other offices throughout the state of Texas. She stated that they were proposing that the City of Austin contract with them to provide 1,001 hours of direct services to eligible recipients over a 12-month period and to be reimbursed so much per hour for the number of hours of service that the homemakers provide each month. She stated that there were 14,000 low-income families who have an occasional need for homemaker/chore services because of the absence of a father, mother or guardian due to illness, desertion or death. She stated that low-income elderly persons facing institutionalization also are in need of the services. She stated that the charity case loads at Brackenridge Hospital could be discharged more quickly because her organization could provide needed homemaker services to sick persons.

Councilmember Trevino asked the staff if this project could qualify for HCD money and if such a project could be implemented by Services for the Elderly, Inc., that the City has already funded. Mr. Carrasco replied stating that if a project was eligible, it could be done depending upon the agency. However, he did not know if the project was eligible and stated that they could have an answer to this by next Thursday. He stated that for a social service to be eligible, it had to be directly related to the physical activities that are being undertaken in that community. Mayor Pro Tem Snell asked Ms. Willis to leave a copy of their proposal for referral by the Council.

MS. PEGGY BROWN, representing the Austin Symphony Orchestra, Symphony Square Project, spoke before the Council. She stated that they were requesting \$50,000 from the HCD fund in place of a prior request made to the Council of \$195,000.

Councilmember Linn moved that the Council close the public hearing and schedule the HCD (Housing and Community Development) issue for final action on February 17, 1977, at 7:00 p.m. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmember Trevino, Mayor Pro Tem Snell, Councilmembers Himmelblau, Hofmann, Lebermann, Linn

Noes: None

Absent: Mayor Friedman

ADJOURNMENT

The Council adjourned its meeting at 7:35 p.m.

ATTEST:

APPROVED

Mayor

Grace Monroe
City Clerk